



FH
[REDACTED]

STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

DECISION

FCP/160257

PRELIMINARY RECITALS

Pursuant to a petition filed August 29, 2014, under Wis. Admin. Code § DHS 10.55, to review a decision by the Racine County Department of Human Services in regard to Medical Assistance, a hearing was held on October 02, 2014, at Racine, Wisconsin.

There is no longer any issue for determination by the Division of Hearings and Appeals.

There appeared at that time and place the following persons:

PARTIES IN INTEREST:

Petitioner:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Representative:

Attorney Patricia DeLessio
Legal Action of Wisconsin
230 W. Wells St. Suite 800
Milwaukee, WI 53203

Respondent:

Department of Health Services
1 West Wilson Street, Room 651
Madison, Wisconsin 53703

By: Virginia Chabrier, Economic Support Specialist
Racine County Department of Human Services
1717 Taylor Ave
Racine, WI 53403-2497

ADMINISTRATIVE LAW JUDGE:

Mayumi M. Ishii
Division of Hearings and Appeals

DISCUSSION

Petitioner's wife filed a request for fair hearing because she received a notice indicating that the Petitioner's medical assistance would be ending effective September 1, 2014. On September 24, 2014, Dan [REDACTED] an RN for [REDACTED] sent the Petitioner's wife a letter indicating that the situation had been rectified and that the agency found the Petitioner to be eligible for medical assistance, beginning September 1, 2014. Mr. [REDACTED] faxed a copy of that letter to the Division of Hearings and Appeals.

On October 2, 2014, the matter was discussed briefly with the parties over the telephone. Both Attorney DeLessio and Ms. Chabrier indicated that they also understood the matter to be resolved. Consequently, the Division of Hearings and Appeals will dismiss this appeal.

CONCLUSIONS OF LAW

There is no longer any issue for determination by the Division of Hearings and Appeals concerning the Petitioner's current eligibility for medical assistance.

THEREFORE, it is

ORDERED

The petition is dismissed.

REQUEST FOR A REHEARING

This is a final administrative decision. If you think this decision is based on a serious mistake in the facts or the law, you may request a rehearing. You may also ask for a rehearing if you have found new evidence which would change the decision. Your request must explain what mistake the Administrative Law Judge made and why it is important or you must describe your new evidence and tell why you did not have it at your first hearing. If you do not explain these things, your request will have to be denied.

To ask for a rehearing, send a written request to the Division of Hearings and Appeals, P.O. Box 7875, Madison, WI 53707-7875. Send a copy of your request to the other people named in this decision as "PARTIES IN INTEREST." Your request for a rehearing must be received no later than 20 days after the date of the decision. Late requests cannot be granted.

The process for asking for a rehearing is in Wis. Stat. § 227.49. A copy of the statutes can be found at your local library or courthouse.

APPEAL TO COURT

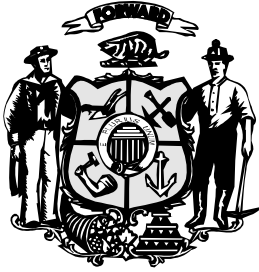
You may also appeal this decision to Circuit Court in the county where you live. Appeals must be served and filed with the appropriate court no more than 30 days after the date of this hearing decision (or 30 days after a denial of rehearing, if you ask for one).

For purposes of appeal to circuit court, the Respondent in this matter is the Department of Health Services. After filing the appeal with the appropriate court, it must be served on the Secretary of that Department, either personally or by certified mail. The address of the Department is: 1 West Wilson Street, Room 651, Madison, Wisconsin 53703. A copy should also be sent to the Division of Hearings and Appeals, 5005 University Avenue, Suite 201, Madison, WI 53705-5400.

The appeal must also be served on the other "PARTIES IN INTEREST" named in this decision. The process for appeals to the Circuit Court is in Wis. Stat. §§ 227.52 and 227.53.

Given under my hand at the City of Milwaukee,
Wisconsin, this 3rd day of October, 2014

\sMayumi M. Ishii
Administrative Law Judge
Division of Hearings and Appeals



State of Wisconsin\DIVISION OF HEARINGS AND APPEALS

Brian Hayes, Administrator
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Madison, WI 53705-5400

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FAX: (608) 264-9885
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Internet: <http://dha.state.wi.us>

The preceding decision was sent to the following parties on October 3, 2014.

Racine County Department of Human Services
Office of Family Care Expansion
Attorney Patricia Delessio